

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
PRICE, et al.,	:	
	:	
Plaintiffs,	:	
	:	17 Civ. 0614 (LGS)
-against-	:	
	:	<u>ORDER</u>
L'OREAL USA, INC., et al.,	:	
	:	
Defendants.	:	
-----	X	

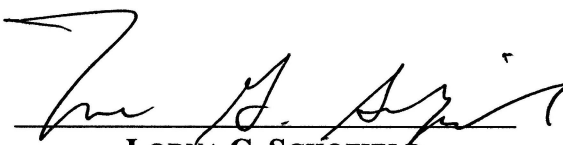
LORNA G. SCHOFIELD, District Judge:

WHEREAS, Defendants filed a letter motion for leave to file under seal one exhibit and to filed with redactions certain portions of the memoranda of law, statements of undisputed fact, and accompanying exhibits filed as part of the parties' cross-motions for summary judgment (Dkt. No. 253). It is hereby

**ORDERED** that Defendants' letter motion is **GRANTED**. The documents filed under seal at Dkt. Nos. 260, 262, 264, 269, 270, 271 and 273 shall remain under seal and accessible only to the parties and attorneys identified by Defendants in the appended letter. Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute, and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commc'ns., Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case."). Filing the above-referenced documents in redacted form is necessary to prevent the unauthorized dissemination of confidential business information.

The parties are advised that the Court retains discretion as to whether to afford confidential treatment to redacted information in Orders and Opinions.

Dated: March 30, 2020  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

## Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 fax 212.336.2222 www.pbwt.com

March 25, 2020

Maren Messing  
Counsel  
(212) 336-7645  
mmessing@pbwt.com

### **VIA ECF FILING**

The Honorable Lorna G. Schofield  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: Price v. L'Oréal USA, Inc., No. 17-cv-00614 (LGS)**

Dear Judge Schofield:

Pursuant to this Court's Order, Dkt. No. 274, and the Court's electronic sealing system, Defendants L'Oréal USA, Inc. and Matrix Essentials LLC (collectively, "Defendants") write in further support of their letter motion to seal, Dkt. No. 253, and request that the sealed filings be made accessible via ECF to the Court and all of the Parties' attorneys in this matter, including:

#### **Counsel for Plaintiffs**

- Rachel L. Soffin, Greg Coleman Law PC
- Gregory F. Coleman, Greg Coleman Law PC
- Adam A. Edwards, Greg Coleman Law PC
- Jonathan B. Cohen, Greg Coleman Law PC
- Mark E. Silvey, Greg Coleman Law PC
- Dawn Holt, Greg Coleman Law PC
- Jason T. Brown, Brown, LLC
- Patrick S. Almonrode, Brown, LLC
- Nick Suciu III, Barbat, Mansour & Suciu PLLC

The Honorable Lorna G. Schofield  
March 25, 2020  
Page 2

- Jason Thompson, Sommers Schwartz PC
- Rod M. Johnson, Sommers Schwartz PC

Counsel for Defendants

- Frederick B. Warder III, Patterson Belknap Webb & Tyler LLP
- Joshua A. Kipnees, Patterson Belknap Webb & Tyler LLP
- Maren Messing, Patterson Belknap Webb & Tyler LLP

Respectfully submitted,

/s/ Maren Messing

Maren Messing  
*Counsel for Defendants L'Oréal USA,  
Inc. and Matrix Essentials LLC*